

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF <Enter County>**

Date:

Judicial Officer:

Deputy Clerk:

In the matter of:

No.

PERMANENCY HEARING

Parties Present:

<Enter party>

<Enter party>

This is the time set for the **PERMANENCY HEARING** on a dependency petition filed
<Date of petition filing>.

Open Proceedings:

- ☐ The Court determines that the proceeding is to remain open to the public and admonishes attendees that they shall not disclose identifying information about the child, siblings, parents, guardians or caregivers, or other persons identified in the proceeding. The Court explains contempt of court to all attendees and possible consequences of violating a court order.

- ☐ **The Court orders** that the proceeding be closed based on the following:
<Enter reason(s) that proceeding should be closed>.

Documents Reviewed: The Court has received and reviewed the following documents:
<Insert names of specific documents>.

ICWA: The Court finds that, based upon the assertions of the parties, the Indian Child Welfare Act, [25 U.S.C. §1901](#) et seq. <does / does not> apply.

Status of the Case:

The Court took evidence on contested matters and testimony from relevant parties regarding the status of the case and compliance with case plan requirements and court orders.

- ☐ The Court has considered any substantiated finding(s) of abuse or neglect from another state.

The Court determined that <Enter name of child's GAL / Attorney>, <Enter role of child's counsel>, had contact with his/her client before this hearing. <Insert client's status and whether additional services are required.>

The Court determined that the <foster parents, shelter care facility, receiving foster home, pre-adoptive placement or relative caregiver> <was or was not> <were or were not> notified of this hearing.

- ☐ <IF PRESENT> The Court provides foster parents, shelter care facility, receiving foster home, pre-adoptive parents or a member of the child's extended family with whom the child has been placed and/or identified as a possible placement an opportunity to be heard.

The Court <has / has not> received the most recent FCRB report. <Address recommendations made in the report if not already included in this minute entry.>

The Court determines that <Insert applicable parent's name> <is / is not> in compliance with the case plan.

The Court finds that the child <Enter whether continued dependent>.

- ☐ **The Court orders** that the dependency petition be dismissed.
- ☐ In determining the appropriate permanent legal status for the child/ren the Court has undertaken an age appropriate consultation with the child.
- ☐ The Court finds that attorney/GAL met with the child prior to the hearing and that the child has been advised of and understands < his/her> right to attend court hearings and speak to the judge.
- ☐ The Court finds that the ADES <has/has not>made reasonable efforts to place the child with siblings or to provide frequent visitation between siblings unless frequent visitation or ongoing contact between siblings is contrary to the children's safety or wellbeing
- ☐ The Court finds that, after consideration of the health and safety of the child, the goal of the placement, and the services offered to the family and the child, that the goal of <Enter permanency plan> is in the child's best interest and
- ☐ takes into consideration placement with siblings, or provides for frequent visitation or contact between siblings.

OR

- ☐ that visitation or contact between siblings is contrary to the child's or sibling's safety or well-being.

- ☐ The Court finds that the Department <has/has not> made reasonable efforts to place the child in a timely manner in accordance with the permanency plan and <has/has not> completed whatever steps are necessary to finalize the permanent plan for the child.
- ☐ The Court finds that regarding the child under three, reasonable efforts have been made to provide reunification services to the parent.
- ☐ The Court finds that the parent of the child under three has substantially neglected or willfully refused to participate in reunification services offered by the Department.
- ☐ The Court has considered the availability of both in-state and out-of-state placements.
- ☐ The Court finds the <in-state> <out-of-state> placement <is> <is not> appropriate and <is> <is not> in the child's best interest.
- ☐ The Court, therefore, orders that the case plan of <Enter permanency plan> as to <Enter name(s) of applicable child> be accomplished within <Enter specific time frame>.
- ☐ **The Court orders** <Enter party who is to file> to file a motion for <Enter TER or GUA> within 10 days of this Permanency Hearing and that this motion be served on all parties who have entered an appearance, pursuant to A.R.C.P. 5(c).
- ☐ **The Court orders** that counsel, <Enter attorney's name>, be appointed to represent <Enter parent>, <Enter parent>, in this matter.

Services:

- ☐ The Court finds that the services proposed in the case plan <are / are not> appropriate and necessary.
- ☐ The Court determines that there <are / are not> services available that would facilitate the successful completion of the case plan of <Select permanency plan>.
- ☐ **The Court orders** <ADES / Appropriate party> to provide the appropriate services.

Visitation:

The Court orders that visitation shall be as follows: <Enter specific visitation agreements>.

If agreements are detailed in separate order or in the case plan, attach to this minute entry and note the attachment in this minute entry>.

Placement and Custody:

- ☐ **The Court orders** that the child remain ward(s) of the Court in the legal care, custody and control of the Arizona Department of Economic Security.
- ☐ **The Court affirms** placement as set forth in its placement orders.
- ☐ The child was placed pursuant to the standards of ICWA, [25 U.S.C. §1915](#).
- ☐ There is good cause to deviate from the placement preferences pursuant to ICWA requirements.

Reasonable Efforts:

The Court determines that ADES <has / has not> made reasonable efforts to finalize the plan of <Enter permanency plan> based on the following: <Enter the factual basis of the reasonable efforts determination.>

Future Hearings: The Court sets/affirms the following hearings:

- ☐ <Enter hearing type> as to <Enter parent> is set for <Date, time and location of this hearing>.
- ☐ **The Court vacates** the <Enter hearing type> set for <Enter date, time and location of this hearing>.
- ☐ The Court admonishes the <Enter parent> that:
 - Failure to attend further proceedings may result in proceedings going forward in their absence;
 - Failure to participate in reunification services may result in the termination of parental rights or the establishment of a permanent guardianship.
- ☐ The Court finds that the parent, guardian, or Indian custodian was advised of the consequences of their failure to attend future hearings or participate in reunification services.
- ☐ **Read to and provide the parties with a copy of Form <1 or 2 or 3>.** Have the record reflect that the admonitions of the Form have been given and request that the parent, guardian or Indian custodian sign and return a copy of the Form, and note on the record that the Form was provided.
- ☐ **The Court orders** notification to the foster parents, shelter care facility, receiving foster home, pre-adoptive parents or a member of the child's

extended family with whom the child has been placed be effectuated by
<Enter responsible party or manner by which notice is to be provided.>
(DES to provide if they are a party)

Dated: _____

<JUDGE / COMMISSIONER / HEARING OFFICER> of the Superior Court